



11-12-03

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(M+S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wallace T Y. TANG; et al

Assignee: APPLIED MATERIALS, INC.

Title: IN-SITU REAL TIME MONITORING TECHNIQUE AND APPARATUS FOR END POINT DETECTION OF THIN FILMS DURING CHEMICAL MECHANICAL POLISHING PLANARIZATION

Serial No. 08/401,229

Filed: 03/09/1995

Patent No.: 5,949,927

Issue Date: 09/07/1999

Attorney Docket No.: 005353/D1/CMP Examiner: Unknown

Santa Clara, California

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OFFICE OF PETITIONS

Mail Stop: Petitions

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Attention: Petitions Information, Crystal Park One, Suite 520

PETITION UNDER 37 C.F.R. § 1.183 THAT PAYMENT OF MAINTENANCE FEE BE ACCEPTED AND THAT THE HOLDING OF PATENT EXPIRATION BE WITHDRAWN

Sir:

On January 27, 2003, the sum of \$890.00 was submitted by the undersigned attorney to the USPTO for payment of the first maintenance fee due on March 7, 2003 for the patent identified above. This amount of \$890.00 was the total amount required for the Maintenance Fee for this patent on January 27, 2003 pursuant to 37 CFR 1.20(e). The payment letter was certified as deposited by Ms. Barbara Holt of Assignee, Applied Materials offices.

Attached hereto are copies of

- ☒ Declaration of Ms. Barbara Holt
- ☒ The Maintenance Fee Payment Letter of the undersigned attorney containing the authorization to charge the first maintenance fee to Deposit Account 50-1074.
- ☒ A certificate of mailing in the renewal letter signed by Ms. Barbara Holt .
- ☒ Return receipt postcard indicating receipt of the Maintenance Fee Payment Instructions by the U.S. Patent Office Maintenance Division on February 4, 2003.
- ☒ Notice of Patent Expiration Mailed from the USPatent Office on October 8, 2003.

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In light of the evidence, the undersigned attorney submits that the correct sum of \$890.00 was timely submitted to the USPTO prior to the expiration of this patent under 37 C.F.R. § 1.362(g).

Applicant files this petition under 37 C.F.R. § 1.183 promptly after receipt of a Notice of Patent Expiration on October 23, 2003, and respectfully petitions and requests that the holding of expiration of this patent be withdrawn.

The Commissioner is hereby authorized to charge the petition fee of \$110.00 and any additional fees which may be required, or credit any overpayment, to Deposit Account No.50-1074.

Applicant additionally requests that no fee be charged because the facts presented herein indicate the original payment of the maintenance fee was timely mailed and actually received by the USPTO and that any burden of error should be borne by the USPTO.

Please telephone the undersigned at (408) 563-2726 , if there are any questions regarding this matter.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail # EV34111256US in an envelope addressed to:

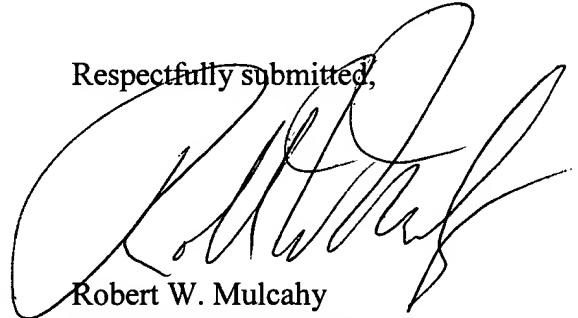
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Commissioner of Patents and Trademarks,

Washington, D.C. 20231 on November 10, 2003


Barbara Holt

Respectfully submitted,


Robert W. Mulcahy
Registration No. 25,436